

**Report of the twenty-sixth session of the  
COMMITTEE ON FISHERIES**

**Rome, 7-11 March 2005**



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COMMITTEE ON FISHERIES  
Rome, 7–11 March 2005

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS  
Rome, 2005



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## PREPARATION OF THIS DOCUMENT

This is the final version of the report as approved by the twenty-sixth session of the Committee on Fisheries held in Rome from 7 to 11 March 2005.

FAO.

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### ABSTRACT

The twenty-sixth Session of the Committee on Fisheries (COFI) was held in Rome, Italy, from 7 to 11 March 2005. The Committee reviewed the issues of an international character and the programme of work of the FAO Fisheries Department in fisheries and aquaculture. The Committee commended FAO on its report on the implementation of the Code of Conduct for Responsible Fisheries and its associated instruments and called for a "decade of implementation" of the various instruments developed to ensure responsible fisheries. The Committee called upon Members to accept, ratify or accede to, as appropriate, these instruments. The Committee encouraged FAO to elaborate additional guidelines in support of the Code, including one for the implementation of the International Plan of Action for the Management of Fishing Capacity. The need to initiate international negotiations on the monitoring of fishing vessels within the framework of the Code of Conduct concerning its implementation was underlined. The Committee welcomed the revised Code and Voluntary Guidelines for the Design, Construction and Equipment of Small Fishing Vessels that had been prepared by FAO, the International Labour Organization and the International Maritime Organization. The Committee expressed concern at the proliferation of international fora addressing fisheries matters, some of which lacked sound technical and scientific bases for discussion. The FAO's medium- to long-term rehabilitation strategy for the fisheries and aquaculture sector in countries affected by the Tsunami was endorsed. Guidelines on ecolabelling of fish and fishery products were adopted. The Committee agreed to give greater attention to small-scale fisheries and to allocate more resources in their support. The Committee expressed its appreciation to FAO and donor countries for giving greater attention to small-scale fisheries and for allocating more resources in their support. It welcomed the advance version of the Code of Conduct Guidelines on Enhancing the Contribution of Small-Scale Fisheries to Poverty Alleviation and Food Security. The Committee stressed that COFI and FAO should continue to provide leadership and maintain an assertive role in fisheries. The Committee commended FAO for the improvements made in the presentation of the Medium Term Plan and Preliminary Programme of Work Proposals for 2006–2007. The Committee underlined that additional allotments should be made to the Major Programme 2.3 "Fisheries".

### Distribution:

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11 March 2005

Sir,

I have the honour to transmit to you herewith the report of the Twenty-sixth Session of the Committee on Fisheries (COFI), which was held in Rome from 7 to 11 March 2005.

Accept, Sir, the assurance of my highest consideration.

  
Glenn Hurry  
Chairperson  
Committee on Fisheries

Mr Azik Mekouar  
Independent Chairperson  
Council of FAO

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## MATTERS REQUIRING THE ATTENTION OF THE COUNCIL

### FOR DECISION/INFORMATION

#### The Committee:

#### **Progress Report on the Implementation of the Code of Conduct for Responsible Fisheries and related International Plan of Actions (Capacity, IUU Fishing, Seabirds and Sharks) and Strategy for improving information on Status and Trends of captures fisheries**

- i) **Commended** FAO on its fourth report on the implementation of the Code of Conduct for Responsible Fisheries and its associated instruments (the Code) and for the Organization's work in facilitating its implementation.  
(para. 12)
- ii) **Noted** that the Code provided the basic framework for the promotion of sustainable fisheries and aquaculture.  
(para. 12)
- iii) **Stressed** that continued efforts were imperative to further promote the Code's implementation.  
(para. 12)
- iv) **Encouraged** FAO to elaborate additional guidelines in support of the Code, including one for the implementation of the International Plan of Action for the Management of Fishing Capacity.  
(para. 12)
- v) **Agreed** that from now on there should be a stronger focus on implementing the instruments concluded since UNCED rather than seeking to conclude new instruments.  
(para. 13)
- vi) **Called** upon Members to accept, ratify or accede, as appropriate, to these instruments since, together with the 1982 United Nations Convention on the Law of the Sea, they provided the foundation for the long-term sustainable management of fisheries.  
(para. 13)
- vii) **Stressed** that international cooperation was essential if sustainable fisheries and aquaculture were to be achieved.  
(para. 13)
- viii) **Urged** States acting through regional fisheries management organizations (RFMOs) to ensure that they took further steps to implement the relevant provisions of the post-UNCED fisheries instruments.  
(para. 13)

- ix) **Encouraged** Members and RFMOs to consider introducing and implementing the ecosystem approach to fisheries overcoming the obstacles that it might present in practice.  
(para. 14)
- x) **Was appraised** of measures being taken by Members to implement the IPOAs and the Strategy-STF.  
(para. 15)
- xi) **Agreed** that FAO should convene a workshop to promote the further implementation of the IPOA-sharks and workshops to encourage regional and national plans of action.  
(para. 15)
- xii) **Noted** that there was a need for urgent action in some areas where certain albatross species were facing extinction and where significant interaction between those species and fisheries occurred.  
(para. 16)
- xiii) **Repeated** its request that flag States in fulfilling their responsibilities notify coastal States, as appropriate, and effectively control their vessels to ensure that they did not engage in IUU fishing or related activities.  
(para. 18)
- xiv) **Recognized** the importance of initiating work on the “genuine link” and requested FAO to participate in interagency activities towards this end.  
(para. 18)
- xv) **Endorsed** the report of the 2003 FAO Expert Consultation on Fishing Vessels Operating under Open Registries and their Impact on Illegal, Unreported and Unregulated Fishing.  
(para. 20)
- xvi) **Urged** that Members operating open registries implement the Consultation’s recommendations as a matter of priority.  
(para. 20)
- xvii) **Encouraged** States acting through RFMOs to examine their mandates and to make changes, as appropriate, to ensure that new entrants including developing countries could be accommodated in a fair, equitable and transparent manner.  
(para. 21)
- xviii) **Urged** interested Members to consider participating in the work of the International MCS Network in galvanizing action against IUU fishing.  
(para. 22)
- xix) **Expressed** satisfaction with the outcome of the 2004 FAO Technical Consultation to Review Progress and Promote the Full Implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and the International Plan of Action for the Management of Fishing Capacity.  
(para. 23)

- xx) **Endorsed** the report of the 2004 FAO Technical Consultation to Review Progress and Promote the Full Implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and the International Plan of Action for the Management of Fishing Capacity as well as its main recommendations and suggestions.  
(para. 23)
- xxi) **Agreed** that subsidies that supported the expansion of fleets which, when conducted in an unsustainable manner, contributed to stock degradation, fleet overcapacity and IUU fishing, should be phased out.  
(para. 24)
- xxii) **Endorsed** the report of the Technical Consultation on the Use of Subsidies in the Fisheries Sector and expressed support for the short- and long-term programme of work that was presented by the Secretariat that could include work on the role of subsidies in small-scale and artisanal fisheries in relation to other policy instruments.  
(para. 24)
- xxiii) **Acknowledged** that there was a need to strengthen port State measures as a means of combating IUU fishing in a more substantive manner given that the lack of agreed, binding measures provided a loophole.  
(para. 25)
- xxiv) **Agreed** that follow-up work on the 2004 FAO Technical Consultation to Review Port State Measures to Combat Illegal, Unreported and Unregulated Fishing should be undertaken, especially with respect to operationalizing the model scheme agreed at the Consultation.  
(para. 25)
- xxv) **Acknowledged** the contribution being made to the implementation of the Code by the FishCode Programme.  
(para. 27)
- xxvi) **Encouraged** Members that could do so to make voluntary contributions to the Programme as a means of strengthening and deepening its assistance.  
(para. 27)
- xxvii) **Expressed** strong support for a proposal by Japan that, with FAO technical cooperation, Japan and possibly other sponsors convene a joint meeting of the Secretariats of the tuna RFMOs and their members.  
(para. 28)
- xxviii) **Agreed** that the meeting, with financial support from Japan, should be held in January or February 2007 at a location to be identified in Japan.  
(para. 28)

- xxix) **Welcomed** the revised Code and Voluntary Guidelines for the Design, Construction and Equipment of Small Fishing Vessels that had been prepared by FAO, the International Labour Organization (ILO) and the International Maritime Organization (IMO) and recommended the early publication by IMO of these documents.  
(para. 30)
- xxx) **Expressed** support for the establishment of a database for port State measures within FAO and in consultation with Members.  
(para. 31)
- xxxj) **Recommended** that FAO should seek funding for the establishment of a database for port State measures and operation from extrabudgetary sources.  
(para. 31)
- xxxii) **Expressed** concern at the proliferation of international fora addressing fisheries matters, some of which lacked a sound technical and scientific bases for discussion.  
(para. 33)
- xxxiii) **Stressed** that COFI and FAO should continue to provide leadership and maintain an assertive role in fisheries, broadening its approach to fisheries and associated issues, as required, while at the same time not losing sight of its core mandate in terms of promoting responsible fisheries, in order to provide food and sustain human welfare.  
(para. 33)
- xxxiv) **Urged** FAO to continue to provide technical input to international fora where fisheries and related matters are discussed in order to contribute to their discussion and outcomes.  
(para. 33)

**Assistance to the fishing communities affected by the Tsunami in the Indian Ocean  
and measures to rehabilitate and reactivate the fisheries and aquaculture sectors  
in the countries concerned**

- i) **Expressed** its sincere condolences to the countries and the families of the victims in the disaster.  
(para. 34)
- ii) **Commended** the international community and FAO for their swift response to the disaster and thanked FAO for including this topic on the COFI and Ministerial Meeting agendas.  
(para. 34)
- iii) **Endorsed** FAO's medium- to long-term rehabilitation strategy for the fisheries and aquaculture sector in affected countries.  
(para. 37)
- iv) **Pointed out** that FAO should continue to closely collaborate with other UN agencies and IFIs in providing assistance to affected countries.  
(para. 37)

- v) **Was advised** by countries directly affected by the tsunami of the magnitude of the damage in their countries, with special emphasis on the damage suffered by the fisheries and aquaculture sector.  
(para. 38)
- vi) **Expressed** its support for FAO's strategy for rehabilitation and reconstruction of livelihoods in the fisheries and aquaculture sector. Many Members offered their support in implementing the strategy through financing or the provision of expertise or other action according to the wish of affected countries.  
(para. 39)
- vii) **Welcomed** the initiative of the Consortium to Restore Shattered Livelihood Communities in Tsunami-Devastated Nations (CONSRN) that was formed to facilitate the coordination of regional fisheries and aquaculture bodies and research institutions in the region.  
(para. 39)
- viii) **Highlighted** the need for FAO to play a key role in collaboration with others in assisting the governments of affected countries, including through the coordination of fisheries rehabilitation activities and the provision of technical assistance, stressing the importance of placing advisors in affected countries.  
(para. 40)
- ix) **Recognized** the increased workload and the disproportionate burden imposed on the Fisheries Department as a result of its work to initiate a rapid response and implement its programme for rehabilitation.  
(para. 42)
- x) **Recognized** the need for extrabudgetary funding for a coordination and technical assistance unit to be based at FAO headquarters and in the Regional Office for Asia and the Pacific.  
(para. 42)
- xi) **Was informed** that a mid-term review of the UN Flash Appeal funding arrangement would be undertaken in the near future.  
(para. 43)

**Decisions and Recommendations of the Ninth Session of the COFI  
Sub-Committee on Fish Trade (Bremen , Germany, 10–14 February 2004)  
including recent Developments with regard to Ecolabelling and CITES**

- i) **Endorsed** the report of the Ninth Session of the Sub-Committee on Fish Trade and expressed its satisfaction with the work of the Sub-Committee.  
(para. 45)
- ii) **Expressed** support for FAO to continue its work on the harmonization of catch documentation.  
(para. 46)

- iii) **Noted** that ICCAT was in the process of reviewing its documentation scheme and that a meeting of the tuna RFMOs was planned in 2007 that would also review the issue of documentation schemes.

(para. 46)
- iv) **Noted** the capacity constraints being faced by developing countries, in particular with regard to their participation in international meetings dealing with trade-related matters such as the WTO Agreements on the Application of Sanitary and Phytosanitary Measures and on Technical Barriers to Trade, as well as Codex Alimentarius meetings.

(para. 47)
- v) **Emphasized** that sustainable trade was dependent on sustainable fisheries management practices being in place.

(para. 48)
- vi) **Requested** FAO to continue monitoring developments in food safety including residues of antibiotics in aquaculture products, the presence of dioxins and polychlorinated biphenyls (PCBs) in fish and the relationship between fishmeal and Bovine Spongiform Encephalopathy.

(para. 49)
- vii) **Endorsed** the conclusion reached by the Sub-Committee on Fish Trade that there is no epidemiological evidence of BSE being transmitted to ruminants or other animals by fishmeal.

(para. 50)
- viii) **Welcomed** the hosting by Spain and Germany of the Tenth and Eleventh Sessions, respectively, of the Sub-Committee on Fish Trade.

(para. 52)
- ix) **Agreed** to explore the possibility of holding future sessions of the Sub-Committee in developing countries.

(para. 52)
- x) **Noted** with pleasure the high level of cooperation between FAO and the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

(para. 54)
- xi) **Noted** that CITES revised listing criteria, adopted at the 2004 Conference of the Parties 13 (CoP 13), took into account the key recommendations from FAO for the application of commercially exploited species.

(para. 54)
- xii) **Appreciated** the effort of the Secretariat which had led to the compromise text. Some Members, however, stated the view that the only approved FAO text for the FAO/CITES MoU was the text that was agreed during the Ninth Session of the Sub-Committee on Fish Trade and that this was the text that should be referred to CITES.

(para. 58)

- xiii) **Agreed** that, pending feedback from CITES on the FAO/CITES MoU, the matter should be reconsidered at the Tenth Session of the Sub-Committee on Fish Trade where an MoU can be potentially agreed to.  
(para. 61)
- xiv) **Agreed** on the importance of ensuring that there was consistency in the positions of Members at meetings of FAO and CITES on the issue of a MoU.  
(para. 62)
- xv) **Took note** that the Technical Consultation on International Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries met in 2004 and 2005.  
(para. 64)
- xvi) **Noted** the special circumstances, conditions and concerns applying to developing countries and countries in transition that required time, financial and technical assistance to develop and maintain appropriate fisheries management arrangements in order to participate in, and benefit from, voluntary ecolabelling schemes.  
(para. 66)
- xvii) **Agreed** that direct support towards the often high cost of accreditation and certification would also be necessary.  
(para. 66)
- xviii) **Adopted** the guidelines on ecolabelling of fish and fishery products.  
(para. 67)

In doing so, COFI:

- (a) **noted** that the part of the guidelines addressing procedural and institutional aspects no longer comprise provisions on an independent panel as an ultimate appellate body as these were not consistent with the Constitution and practice of FAO (para. 67(a)).
- (b) **noted** that these guidelines would apply equally to certification of fisheries in ecolabelling schemes, where fishery products coming from such certified fisheries do not carry an ecolabel because the party concerned decides not to use an ecolabel (para. 67(b)).
- (c) **recommended** that FAO should review and further develop general criteria in relation to "stock under consideration" and to serious impacts of the fishery on the ecosystem (para. 67(c)).
- (d) **noted** the Republic of Korea's view that paragraph 30 should refer clearly to Article 7.6.3 of the Code of Conduct regarding fishing capacity rather than reference to the broader measures described in Article 7.6 (para. 67(d)).

- (e) **noted** China's reservation because it considered that the relevant criteria in the guidelines were not clear and would need work to improve them (para. 67(e)).
- (f) **noted** Mauritania's reservation that (i) the International Guidelines should be reviewed by the Committee on Technical Barriers to Trade (TBT) of the World Trade Organization and its comments taken into account, and (ii) a transitional period of two years was required before the implementation of these Guidelines (para. 67(f)).
- (g) **recommended** linguistic review by FAO of the text of the guidelines in the official languages of FAO, particularly those other than English, in order to ensure consistency between texts (para. 67(g)).
- (h) **recommended** that international guidelines also be prepared by FAO on the ecolabelling of fish and fishery products from inland fisheries (para. 67(h)).
- (i) **requested** that FAO report to its Twentieth-seventh Session in 2007 on its work to further improve the guidelines (para. 67(i)).

**Decisions and Recommendations of the Second Session of the COFI Sub-Committee  
on Aquaculture (Trondheim, Norway, 7–11 August 2003)**

- i) **Endorsed** the report of the Sub-Committee and thanked the Government of Norway for hosting and supporting the Session.  
(para. 68)
- ii) **Appreciated** the excellent work of the Sub-Committee and the Secretariat.  
(para. 68)
- iii) **Recognized** the importance of aquaculture including culture-based fisheries as a means of increasing fish production, of generating income and as a means of reducing pressure on wild fish resources.  
(para. 69)
- iv) **Thanked** the Government of Japan for establishing a trust fund to provide assistance for the sustainable development of aquaculture.  
(para. 70)
- v) **Stressed** the importance of working with the Codex Alimentarius Commission and the Sub-Committee on Fish Trade on issues pertaining to food safety and quality, markets and better reporting on status and trends.  
(para. 73)
- vi) **Noted** the importance of aquaculture development in Africa including its integration into irrigation systems and several Members pointed out the need for technical and financial assistance.  
(para. 74)



- vii) **Thanked** India for offering to host the Third Session of the Sub-Committee on Aquaculture in 2006.

(para. 75)

**Enabling Responsible Small-scale Fisheries,  
through the creation of a Supportive Environment**

- i) **Commended** the Secretariat for the document and **acknowledged** that it provided valuable guidance on the strategies and measures required for the creation of an enabling environment for small-scale fisheries.
- ii) **Observed** that inland fisheries needed to be accorded greater attention and that it was proposed that more specific policy interventions in support of these fisheries should be identified in some areas while giving due account to possible tradeoffs in other areas.
- iii) **Noted** a range of issues that should be addressed in order for small-scale fisheries to make a greater contribution to rural development, sustainable livelihoods, poverty alleviation and food security.
- iv) **Recognized** the special importance of small-scale fisheries, especially to small island developing States, and the positive experiences of countries in support of this sector.
- v) **Expressed** its appreciation to FAO and donor countries for giving greater attention to small-scale fisheries and for allocating more resources in their support. It welcomed the advance version of the Code of Conduct Guidelines on Enhancing the Contribution of Small-Scale Fisheries to Poverty Alleviation and Food Security.
- vi) **Noted** the importance of some of the measures in the Guidelines including the better integration of small-scale fisheries into national development and poverty reduction strategies and their empowerment through the strengthening of fishworkers organizations, communication and capacity-building.

(para. 76)

(para. 76)

(para. 77)

(para. 78)

(para. 79)

(para. 79)

**Deep-sea fisheries**

- i) **Noted** the challenges that the management of deepwater demersal fisheries posed, both on the high seas and when they occurred in exclusive economic zones (EEZs), as a consequence of the vulnerable biological characteristics of deepwater demersal fishes, and which were compounded by concerns about the conservation of biodiversity in deep-sea habitats.

(para. 83)

- ii) **Welcomed** the realization of DEEP SEA 2003, which had been convened by the New Zealand and Australian Governments in association with FAO, and its positive and successful outcome.  
(para. 84)
- iii) **Noted** subsequent discussions to call attention to the problems associated with deepwater demersal fisheries, particularly those held in the UN General Assembly.  
(para. 84)
- iv) **Requested** FAO to provide the UNGA with appropriate information and technical advice on these fisheries and, in general, to provide leadership in this field and actively participate in the relevant international fora.  
(para. 84)
- v) **Took note** of concerns about the deficiencies in the existing legal and institutional framework for deepsea fisheries.  
(para. 86)
- vi) **Urged** Members to fully apply the Code of Conduct and its four related IPOAs to all deepsea fishing by vessels flying their flags including fishing for stocks that are not regulated by an RFMO.  
(para. 87)
- vii) **Urged** Members, by fulfilling their flag State responsibilities, to ensure their vessels were regulated effectively and operated in a manner consistent with the ecosystem approach to fisheries, in particular by ensuring that fishing vessels flying their flags reported fully data regarding their fishing activities.  
(para. 87)
- viii) **Requested** Members and RFMOs, as appropriate, to submit information on deepsea fish catches by species and size composition and fishing effort, noting that reporting would need to be on a relatively fine spatial scale to address the association of fishing activities with vulnerable marine ecosystems, as well as information on any conservation and management measure that may be in place for such fisheries.  
(para. 88)
- ix) **Endorsed** the proposed future FAO activities on deep seas fisheries issues.  
(para. 89)
- x) **Called** for the allocation of adequate resources to relevant programme activities of the Organization and its Fisheries Department.  
(para. 89)
- xi) **Called upon** Members directly and through RFMOs, as appropriate, to implement as a matter of priority paragraphs 66 to 71 of UNGA Resolution 59/25.  
(para. 90)

- xii) **Requested** FAO to cooperate with the Secretary-General of the United Nations in the development of the report as called for in paragraph 70 of UNGA Resolution 59/25.  
(para. 90)
- xiii) **Called upon** Members conducting deepsea fisheries on the high seas individually and in cooperation with others to address adverse impacts on vulnerable marine ecosystems and to sustainably manage the fishery resources being harvested including through controls or limitations on new and exploratory fisheries.  
(para. 91)
- xiv) **Requested** FAO when revising the FAO Technical Guidelines on Ecosystem-based Fisheries Management to consider appropriate measures regulating destructive fishing practices.  
(para. 92)
- xv) **Noted** that the Review Conference for the 1995 UN Fish Stocks Agreement scheduled for 2006 may be an appropriate forum for exploring international conservation and management options for discrete high seas fish stocks.  
(para. 93)
- xvi) **Noted** that the "Governance of High Seas Fisheries and the UN Fish Stocks Agreement - Moving from Words to Action" Conference, scheduled for May 2005 in Canada, could also inform discussions on the conservation and management of deep-sea fisheries.  
(para. 94)
- xvii) **Encouraged** the meeting of regional fisheries bodies (RFBs) that will immediately follow the Twenty-sixth Session of COFI to consider the issue of deepsea fisheries conservation and management.  
(para. 95)

#### **Sea Turtles Conservation and Fisheries**

- i) **Was invited** to express its opinion with respect to the recommendations of the 2004 FAO Technical Consultation on Sea Turtles Conservation and Fisheries and to provide guidance for the direction and scope of future work.  
(para. 97)
- ii) **Endorsed** the report and the recommendations of the 2004 FAO Technical Consultation on Sea Turtles Conservation and Fisheries.  
(para. 98)
- iii) **Called** for the immediate implementation by Members and RFMOs of the Guidelines to Reduce Sea Turtle Mortality in Fishing Operations.  
(para. 98)
- iv) **Acknowledged** that these guidelines were voluntary and they were not intended to affect trade.  
(para. 98)

- v) **Agreed** that FAO should proceed with the development of Technical Guidelines under the Code of Conduct for Responsible Fisheries as agreed by the Technical Consultation.  
(para. 98)
- vi) **Recognized** the need for further biological studies including sea turtle tagging.  
(para. 99)
- vii) **Stressed** the need to share information and experiences in implementing mitigation measures.  
(para. 99)
- viii) **Emphasized** the need for technical and financial assistance to address sea turtle mortality due to fisheries and to implement the recommendations of the Technical Consultation.  
(para. 99)

#### **Marine Protected Areas and Fisheries**

- i) **Agreed** that the use of MPAs as a fisheries management tool should be scientifically-based and backed by effective monitoring and enforcement and an appropriate legal framework.  
(para. 101)
- ii) **Agreed** that MPAs were one of a number of management tools and that they would be effective in combination with other appropriate measures such as capacity control.  
(para. 101)
- iii) **Noted** that RFMOs would need to develop means of interacting with other relevant IGOs, in particular in the environmental field, including the CBD, and other organizations such as IMO, when there was a need to exclude non-fishery human activities within an MPA on the high seas.  
(para. 102)
- iv) **Recommended** that FAO develop technical guidelines on the design, implementation and testing of MPAs, even though one Member stated that it did not support this work and considered it inappropriate.  
(para. 103)
- v) **Drew** attention to the need to liaise with and benefit from the experiences of a number of countries, IGOs and NGOs in the preparation of guidelines.  
(para. 103)
- vi) **Agreed** that FAO should assist its Members in achieving the relevant WSSD goals by 2012, in particular the establishment of representative networks of MPAs.  
(para. 103)

- vii) **Stressed** that FAO should collaborate with other IGOs working on the topic, in particular CBD and UNGA.

(para. 103)

#### **Review of Major Programme 2.3 “Fisheries”**

#### **Planned Activities over the Period 2006–2011, as regards Major Programme 2.3 “Fisheries” and Preliminary Information on Programme of Work and Budget Proposals for 2006–2007**

- i) **Commended** FAO for the improvements made in the presentation of the Medium Term Plan and Preliminary Programme of Work Proposals for 2006–2007.
- ii) **Appreciated** efforts made by FAO to accommodate most priority areas into the Programme of Work and Budget for 2006–2007.
- iii) **Acknowledged** that the Programme of Work and Budget of the Organization would be discussed at subsequent sessions of the Governing Bodies. FAO was encouraged to continue its efforts to be efficient, effective and accountable.
- iv) **Noted** that all activities of the Fisheries Department were too important not to be undertaken.

(para. 105)

(para. 106)

(para. 107)

(para. 108)

#### **Any other matters**

- i) **Agreed** that it could extend an invitation to RFMO members and other interested parties encouraging them to participate in the development of parameters for the assessment of the performances of RFMO, possibly through an urgent expert consultation followed by a technical consultation.

(para. 112)

## **INTRODUCTION**

1. The Committee on Fisheries (COFI) held its Twenty-sixth Session in Rome from 7 to 11 March 2005.
2. The Session was attended by 117 Members of the Committee, by observers from three other FAO Member Nations, the Holy See, and one non-Member Nations of FAO, by representatives from six specialized agencies of the United Nations and by observers from 51 intergovernmental (IGOs) and international non-governmental organizations (NGOs).
3. A list of delegates and observers is attached as Appendix B.
4. The Session was called to order by the outgoing Chairperson Mr Jerónimo Ramos Saenz Pardo (Mexico). He recalled the outcome of the last session and stated that the Twenty-sixth Session of COFI was a special meeting to celebrate a decade of implementation of the FAO Code of Conduct for Responsible Fisheries that was adopted in 1995.

## **ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSONS AND DESIGNATION OF THE DRAFTING COMMITTEE**

5. Mr Glenn Hurry (Australia) was unanimously elected Chairperson of the Committee and Mr Kapila Perera (Sri Lanka) was elected First Vice-Chairperson.
6. Cameroon, Canada, Chile, Iceland and Libya were elected as the other Vice-Chairpersons.
7. The Committee elected Mr Johann Augustyn (South Africa) as Chairperson of the Drafting Committee with the following membership: Australia, Canada, China, Japan, Kuwait, Malaysia, Mauritania, Mexico, Netherlands, New Zealand, Norway, Oman, Peru and United States of America.

## **OPENING OF THE SESSION**

8. The Session was addressed by Mr David A. Harcharik, FAO Deputy Director-General, who invited the Committee to observe a minute of silence in memory of the many victims of the tsunami of 26 December 2004. He then commented briefly on the other agenda items before the Committee. The full text of his statement is attached as Appendix D.

## **ADOPTION OF THE AGENDA AND ARRANGEMENTS FOR THE SESSION**

9. The Committee noted the Declaration of Competence and Voting Rights presented by the European Community.
10. The Committee adopted the Agenda and Timetable for the Session. The Agenda is given in Appendix A to this Report. One Member commented that the agenda should be developed in a more transparent manner, without prejudice to the FAO Basic Texts, and requested that the Secretariat do so for the next Session of the Committee. The list of documents placed before the Committee is shown in Appendix C.

**PROGRESS REPORT ON THE IMPLEMENTATION OF THE CODE OF CONDUCT FOR RESPONSIBLE FISHERIES AND RELATED INTERNATIONAL PLANS OF ACTION (CAPACITY, IUU FISHING, SEABIRDS AND SHARKS) AND THE STRATEGY FOR IMPROVING INFORMATION ON STATUS AND TRENDS OF CAPTURE FISHERIES**

11. The Secretariat introduced documents COFI/2005/2, Inf. 8, 9, 9/Add.1 and 10. It also referred to a "made available" document that provided a statistical analysis of responses by FAO Members to the 2004 questionnaire on the Code of Conduct for Responsible Fisheries.

12. The Committee commended FAO on its fourth report on the implementation of the Code of Conduct for Responsible Fisheries and its associated instruments (the Code) and for the Organization's work in facilitating its implementation. The Committee also noted that the Code provided the basic framework for the promotion of sustainable fisheries and aquaculture. Many Members explained the measures being taken in their countries to give effect to the Code including the incorporation of some aspects of it into national legislation. However, the Committee stressed that continued efforts were imperative to further promote the Code's implementation. It also encouraged FAO to elaborate additional guidelines in support of the Code, including one for the implementation of the International Plan of Action for the Management of Fishing Capacity (IPOA-capacity).

13. Aware that many international fisheries instruments had been concluded since the 1992 United Nations Conference on Environment and Development (UNCED), the Committee agreed that from now on there should be a stronger focus on implementing the instruments concluded since UNCED rather than seeking to conclude new instruments. In this respect, some Members called for a "decade of implementation" for these instruments. Existing instruments included the 1993 FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (Compliance Agreement), the 1995 United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (1995 UN Fish Stocks Agreement), the 1995 FAO Code of Conduct for Responsible Fisheries and the International Plans of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (IPOA-seabirds), for the Conservation and Management of Sharks (IPOA-sharks), to Prevent, deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU), IPOA-capacity and the Strategy for Improving Information on Status and Trends of Capture Fisheries (Strategy-STF). The Committee called upon Members to accept, ratify or accede, as appropriate, to these instruments since, together with the 1982 United Nations Convention on the Law of the Sea, they provided the foundation for the long-term sustainable management of fisheries. The Committee also stressed that international cooperation was essential if sustainable fisheries and aquaculture were to be achieved. The Committee urged States acting through regional fisheries management organizations (RFMOs) to ensure that they took further steps to implement the relevant provisions of the post-UNCED fisheries instruments because such action was critical to giving full effect to these instruments.

14. Many Members referred to the need to adopt widely the ecosystem approach to fisheries management in a timely and appropriate manner, recognizing that fishing impacts not only the target resources but also the ecosystem itself and vice versa. It was pointed out that implementing an ecosystem approach is an evolutionary process that need not await complete or perfect information. It was also noted, however, that while there was general

recognition of the value and importance of this approach to management, there still needs to be greater understanding on how it should be applied in practice. The Committee encouraged Members and RFMOs to consider introducing and implementing the ecosystem approach to fisheries overcoming the obstacles that it might present in practice.

15. The Committee was apprised of measures being taken by Members to implement the IPOAs and the Strategy-STF. Many Members advised that they had taken steps to implement the IPOAs on the management of fishing capacity and the management of sharks. Some Members expressed concern at the slow rate of implementation of the IPOA-sharks and the Committee agreed that FAO should make every effort to implement paragraph 72 of UNGA Resolution 59/25 on sustainable fisheries, including through the 1995 UN Fish Stocks Agreement, and related instruments. The Committee also agreed that FAO should convene a workshop to promote the further implementation of the IPOA-sharks and workshops to encourage regional and national plans of action.

16. Some Members mentioned that they had undertaken the relevant assessments for the IPOA-seabirds and that where required, national plans of action had been developed or would be elaborated. The Committee noted that there was a need for urgent action in some areas where certain albatross species were facing extinction and where significant interaction between those species and fisheries occurred.

17. Although recognizing the importance of the Strategy-STF, fewer Members indicated that they were in the early implementation phase. The representative from the Coordinating Working Party on Fishery Statistics (CWP) advised the Committee that the Strategy-STF had been considered at its Twenty-first Session in 2005 and made a number of recommendations to support its implementation, through regional fishery bodies. Some Members requested that FAO provide support for the implementation of the Strategy-STF directly to countries.

18. Many Members provided information on illegal, unreported and unregulated (IUU) fishing in their countries and regions. Many Members indicated that they had implemented, or were in the process of implementing, the IPOA to combat IUU fishing. Some Members stressed that there was a need to regulate refrigerated transport vessels ("reefer vessels") because of their high seas transshipment activities that supported IUU fishing. It reiterated that fishing vessels flying "flags of convenience" continued to undermine efforts to promote sustainable fisheries and that they were highly mobile migrating from one region to another in short time periods. In efforts to combat IUU fishing, the Committee repeated its request that flag States in fulfilling their responsibilities notify coastal States, as appropriate, and effectively control their vessels to ensure that they did not engage in IUU fishing or related activities. The Committee recognized the importance of initiating work on the "genuine link" and requested FAO to participate in interagency activities towards this end.

19. Some Members pointed out that there were linkages between IUU fishing and fishing overcapacity and that the management of overcapacity should be addressed on a global basis.

20. Some Members referred to the 2003 FAO Expert Consultation on Fishing Vessels Operating under Open Registries and their Impact on Illegal, Unreported and Unregulated Fishing, noting that it had been a valuable meeting especially since it had developed a comprehensive set of recommendations, based on the IPOA-IUU, to be implemented by concerned States. The Committee, encouraged by this development, endorsed the report of the



Consultation and urged that Members operating open registries implement the Consultation's recommendations as a matter of priority.

21. Many Members pointed out that RFMOs were important actors in the fight against IUU fishing. Some Members pointed out that RFMOs should adopt equitable means for allocating fishing opportunities for new entrants, including developing countries. Otherwise, IUU fishing by some countries could continue unabated. The Committee encouraged States acting through RFMOs to examine their mandates and to make changes, as appropriate, to ensure that new entrants including developing countries could be accommodated in a fair, equitable and transparent manner. Some Members noted that such action would also serve the longer term interests of the RFMOs themselves.

22. Many Members stressed the importance of effective fisheries monitoring, control and surveillance (MCS) tools, including vessel monitoring systems (VMS) as primary defences against IUU fishing. They also referred to the work of the International MCS Network in galvanizing action against IUU fishing. The Committee, recognizing the important and unique role of the Network in providing real-time information exchanges on IUU fishing and related matters, urged interested Members to consider participating in the initiative.

23. The Committee expressed satisfaction with the outcome of the 2004 FAO Technical Consultation to Review Progress and Promote the Full Implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and the International Plan of Action for the Management of Fishing Capacity. The Committee endorsed the report of the Session as well as its main recommendations and suggestions.

24. Many Members referred to FAO's work on fisheries subsidies and requested that it be strengthened while ensuring that it respected the relevant mandates of FAO and the World Trade Organization (WTO) and that it complement, and did not duplicate, the work of WTO. Some Members observed that there was a need to make a clear distinction between two types of subsidies. Firstly, there were those subsidies that supported the expansion of fleets which, when conducted in an unsustainable manner, contributed to stock degradation, fleet overcapacity and IUU fishing. The Committee agreed that these types of subsidies should be phased out. Many Members noted that subsidies could also lead to trade distortions. Secondly, there were those subsidies that may contribute to sustainable utilization through improved scientific information and MCS or benefited, for instance, small-scale fishers and contributed to food security, poverty alleviation and, in some cases, provided a stimulus to sustainable development. Members requested that FAO give consideration to undertaking studies and assessments to determine the impact of subsidies on fishing capacity, IUU fishing and on fisheries management generally. The Committee endorsed the report of the Technical Consultation on the Use of Subsidies in the Fisheries Sector and expressed support for the short- and long-term programme of work that was presented by the Secretariat that could include work on the role of subsidies in small-scale and artisanal fisheries in relation to other policy instruments.

25. The Committee acknowledged that there was a need to strengthen port State measures as a means of combating IUU fishing in a more substantive manner given that the lack of agreed, binding measures provided a loophole. Some Members requested that these measures be promoted in RFMOs for the development or improvement of the port State aspects of regional control schemes. In endorsing the report and the recommendations of the Technical Consultation, the Committee agreed that follow-up work on the 2004 FAO Technical

Consultation to Review Port State Measures to Combat Illegal, Unreported and Unregulated Fishing should be undertaken, especially with respect to operationalizing the model scheme agreed at the Consultation.

26. Critical to the sustained implementation of the Code was the need for institutional strengthening and human resource development in developing countries, especially in small island developing States. Many Members informed the Committee of their particular needs concerning assistance, some of which included the implementation of enhanced registry procedures, improved MCS, the implementation and expansion of VMS, the development of national plans of action (NPOAs) and the promotion of policies and measures to implement the ecosystem approach to fisheries. Some Members expressed their thanks to FAO for the training provided with respect to the implementation of the Code and IPOAs and urged that it be continued. Several Members welcomed the commencement of the Part VII Assistance Fund under the 1995 UN Fish Stocks Agreement.

27. The Committee acknowledged the contribution being made to the implementation of the Code by the FishCode Programme. Some Members suggested that FishCode might focus greater attention on human resource development and awareness building about the Code, especially at the "grass roots" level. The Committee encouraged Members that could do so to make voluntary contributions to the Programme as a means of strengthening and deepening its assistance.

28. The Committee expressed strong support for a proposal by Japan that, with FAO technical cooperation, Japan and possibly other sponsors convene a joint meeting of the Secretariats of the tuna RFMOs and their members. Participating RFMOs would include the International Commission for the Conservation of Atlantic Tunas (ICCAT), the Indian Ocean Tuna Commission (IOTC), the Inter-American Tropical Tuna Commission (IATTC), the Western and Central Pacific Fisheries Commission (WCPFC) and the Commission for the Conservation and Management of Southern Bluefin Tuna (CCSBT). The Committee further agreed that the meeting, with financial support from Japan, should be held in January or February 2007 at a location to be identified in Japan.

29. Although the agenda for the meeting remains open, the objectives for the meeting could be, *inter alia*, to:

- a) Review current management measures, addressing fishing capacity and limitation of fishing effort, inspection and control scheme, transshipment measures, non-discriminatory internationally agreed trade sanction processes and procedures, marketing and incidental-catch-related measures.
- b) Review the effectiveness of their current system and develop processes so as to make available to each other, notably, the information contained in their authorized fishing vessel records and IUU fishing vessel lists, as well as other pertinent information to prevent IUU fishing activities.

30. The attention of the Committee was drawn to the revised Code of Safety for Fishermen and Fishing Vessels and the Voluntary Guidelines for the Design, Construction and Equipment of Small Fishing Vessels that had been prepared by FAO, the International Labour Organization (ILO) and the International Maritime Organization (IMO). The Committee welcomed the revised Code and Voluntary Guidelines and recommended the early publication by IMO of these documents.

31. The Committee expressed support for the establishment of a database for port State measures within FAO and in consultation with Members. However, while recognizing the value of such a database the Committee recommended that FAO should seek funding for its establishment and operation from extrabudgetary sources.

32. Some Members noted that they faced a heavy reporting burden on the Code. A proposal was made that detailed indepth analysis be undertaken every four years, alternating with a general overview report on implementation every two years, including Articles 9 and 11. However, this decision was left to be finalized at the next Session of COFI.

33. The Committee expressed concern at the proliferation of international fora addressing fisheries matters, some of which lacked a sound technical and scientific basis for discussion. It stressed that COFI and FAO should continue to provide leadership and maintain an assertive role in fisheries, broadening its approach to fisheries and associated issues, as required, while at the same time not losing sight of its core mandate in terms of promoting responsible fisheries, in order to provide food and sustain human welfare. The Committee also urged FAO to continue to provide technical input to international fora where fisheries and related matters are discussed in order to contribute to their discussion and outcomes.

#### **ASSISTANCE TO THE FISHING COMMUNITIES AFFECTED BY THE TSUNAMI IN THE INDIAN OCEAN AND MEASURES TO REHABILITATE AND REACTIVATE THE FISHERIES AND AQUACULTURE SECTORS IN THE COUNTRIES CONCERNED**

34. The Secretariat introduced document COFI/2005/Tsunami. The Committee expressed its sincere condolences to the countries and the families of the victims in the disaster. It commended the international community and FAO for their swift response to the disaster and thanked FAO for including this topic on the COFI and Ministerial Meeting agendas. The Secretariat provided an overview of the impact of the disaster that killed an estimated 300 000 people and caused damage of approximately US\$ 7 billion. It was pointed out that the tsunami had its greatest impact on poor coastal fishing communities, many of which lost all or most of their livelihood assets.

35. The Secretariat described the unprecedented response and assistance provided by Governments, UN agencies and others that, through the UN Flash Appeal, raised more than US\$ 700 million for the relief and early recovery efforts. It was noted that FAO's response included the deployment of FAO teams in affected countries to assist with coordination, the provision of technical assistance, the supply of fishing gear, repair and replacement of boats, rehabilitation and restocking of fish ponds, early rehabilitation of harbours, anchorages, fish storage and processing, and agriculture inputs. Close collaboration has been maintained with international financial institutions (IFIs) including the World Bank, Asian Development Bank and Islamic Development Bank.

36. In considering the issues and constraints to rehabilitation, the Secretariat expressed concern that rehabilitation could reinstitutionalize factors leading to vulnerability and unsustainability. The major concern was the risk of developing fishing capacity in excess of the post-tsunami productivity capacity of fish stocks and the introduction of fishing gear and practices that were not appropriate for the affected countries.

37. The Committee endorsed FAO's medium- to long-term rehabilitation strategy for the fisheries and aquaculture sector in affected countries. This strategy was based on a set of important principles including the adoption of a livelihood approach that put people first. The Committee pointed out that FAO should continue to closely collaborate with other UN agencies and IFIs in providing assistance to affected countries.

38. The Committee was advised by countries directly affected by the tsunami of the magnitude of the damage in their countries, with special emphasis on the damage suffered by the fisheries and aquaculture sector. These Members summarized steps taken by their governments to provide relief in collaboration with international development partners and NGOs. They welcomed the assistance provided by FAO as they moved into longer term rehabilitation, emphasizing FAO's future role in providing coordination and technical assistance. They emphasized the importance of ensuring that capacity did not exceed pre-tsunami levels as a result of international interventions.

39. The Committee expressed its support for FAO's strategy for rehabilitation and reconstruction of livelihoods in the fisheries and aquaculture sector. Many Members offered their support in implementing the strategy through financing or the provision of expertise or other action according to the wish of affected countries. The Committee also welcomed the initiative of the Consortium to Restore Shattered Livelihood Communities in Tsunami-Devastated Nations (CONSRN) that was formed to facilitate the coordination of regional fisheries and aquaculture bodies and research institutions in the region.

40. The Committee highlighted the need for FAO to play a key role in collaboration with others in assisting the governments of affected countries, including through the coordination of fisheries rehabilitation activities and the provision of technical assistance, stressing the importance of placing advisors in affected countries. In terms of the support to be provided, many Members stated that attention should be paid to a number of issues including: the development of national strategies to ensure long-term sustainability based on the Code of Conduct for Responsible Fisheries; the multisectoral nature of rehabilitation; the need to improve fisheries science and management capabilities and integrated coastal area management advice; rebuilding institutional capabilities for better conservation and management at all levels; rehabilitating the supply chain; addressing gender issues; monitoring and controlling the build-up of fishing capacity; sea safety and vessel construction standards; promoting environmentally responsible aquaculture; and reducing the impact of future tsunamis, or other natural or man-made phenomena with similar potentially devastating consequences.

41. Many Members stressed the need for FAO to conduct a comprehensive assessment of the impact of the tsunami on fisheries resources, habitats and the livelihood of coastal communities. FAO was requested to further develop a regional project proposal to conduct such an assessment in collaboration with relevant national institutions, CONSRN partners, and other international agencies, with the view of advising on appropriate levels of fishing capacity and livelihood and habitat rehabilitation.

42. The Committee recognized the increased workload and the disproportionate burden imposed on the Fisheries Department as a result of its work to initiate a rapid response and implement its programme for rehabilitation. It also recognized the need for extrabudgetary funding for a coordination and technical assistance unit to be based at FAO headquarters and

in the Regional Office for Asia and the Pacific (RAP). It was also suggested that the Secretariat pursue partnership funding with other organizations such as IFIs.

43. The Committee was also informed that a mid-term review of the UN Flash Appeal funding arrangement would be undertaken in the near future. This review could reallocate funding towards sectoral coordination and technical assistance and fill the funding gap for countries such as the Maldives, Seychelles and Somalia.

**DECISIONS AND RECOMMENDATIONS OF THE NINTH SESSION OF THE COFI SUB-COMMITTEE ON FISH TRADE (BREMEN, GERMANY, 10-14 FEBRUARY 2004) INCLUDING RECENT DEVELOPMENTS WITH REGARD TO ECOLABELLING AND CITES**

44. The item was introduced by the Chairperson of the Ninth Session of the Sub-Committee on Fish Trade and the Secretariat and discussed on the basis of documents COFI/2005/3 and Inf. 12.

45. The Committee, noting the important role played by FAO in the field of fish trade, endorsed the report of the Ninth Session of the Sub-Committee on Fish Trade and expressed its satisfaction with the work of the Sub-Committee.

46. The Committee expressed support for FAO to continue its work on the harmonization of catch documentation. It noted that ICCAT was in the process of reviewing its documentation scheme and that a meeting of the tuna RFMOs was planned in 2007 that would also review the issue of documentation schemes. Some Members suggested that FAO take into account the outcome of these events in the further elaboration of its work on catch documentation. The need to clarify the terminology "catch documentation scheme" was raised.

47. The Committee noted the capacity constraints being faced by developing countries, in particular with regard to their participation in international meetings dealing with trade-related matters such as the WTO Agreements on the Application of Sanitary and Phytosanitary Measures and on Technical Barriers to Trade, as well as Codex Alimentarius meetings. Participation in these meetings was of great importance and would facilitate their involvement in the development of safety and quality standards. It would also enhance their capacity to meet regulatory requirements for the fish trade.

48. Some Members noted the importance of small-scale fisheries trade. In this regard FAO was requested to continue its work on identifying how trade could further benefit small-scale fisheries, noting the importance of trade as a source of employment and income. The Committee emphasized that sustainable trade was dependent on sustainable fisheries management practices being in place.

49. The Committee requested FAO to continue monitoring developments in food safety including residues of antibiotics in aquaculture products, the presence of dioxins and polychlorinated biphenyls (PCBs) in fish and the relationship between fishmeal and Bovine Spongiform Encephalopathy (BSE).

50. The Committee endorsed the conclusion reached by the Sub-Committee on Fish Trade that there is no epidemiological evidence of BSE being transmitted to ruminants or other animals by fishmeal. Some Members suggested that the use of commercial measures associated with this issue would be lacking in scientific evidence.

51. The linkage between food safety, quality and traceability was highlighted by the Committee. Many Members from developing countries noted the need for technical assistance to implement food safety, quality and traceability requirements and requested FAO to provide such support.

52. The Committee welcomed the hosting by Spain and Germany of the Tenth and Eleventh Sessions, respectively, of the Sub-Committee on Fish Trade. The Committee agreed to explore the possibility of holding future sessions of the Sub-Committee in developing countries.

53. Some Members recommended that the Sub-Committee address freshwater fish trade in future.

54. The Committee noted with pleasure the high level of cooperation between FAO and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). In particular, it noted that CITES revised listing criteria, adopted at the 2004 Conference of the Parties 13 (CoP 13), took into account the key recommendations from FAO for the application of commercially exploited species. Many Members noted that the FAO Ad Hoc Expert Advisory Panel for Assessment of Listing Proposals for Commercially-Exploited Aquatic Species was a further indication of the level of collaboration between the two organizations. Noting the importance of the Expert Advisory Panel, some Members suggested that in future it should be funded from the FAO's Regular Programme.

55. Many Members recommended that FAO follow-up on the request from CITES that FAO convene a workshop on shark management to promote the development and implementation of national plans of action for shark conservation and management.

56. Several Members suggested that it would be beneficial for FAO to develop a sea cucumber management strategy and to review its global status and one Member offered to provide funding for such an activity.

57. The Secretariat described the process that had been agreed at the Ninth Session of the Sub-Committee on Fish Trade to finalize the draft Memorandum of Understanding between FAO and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (FAO/CITES MoU). In accordance with this process, the Secretariat and the Chairperson of the CITES Standing Committee agreed on a compromise text that has been referred to CITES.

58. The Committee appreciated the effort of the Secretariat which had led to the compromise text. Some Members, however, stated the view that the only approved FAO text for the FAO/CITES MoU was the text that was agreed during the Ninth Session of the Sub-Committee on Fish Trade and that this was the text that should be referred to CITES. These Members expressed the view that the compromise text that was agreed by the FAO Secretariat and the Chairperson of the CITES Standing Committee had no official standing.

59. A group of Friends of the Chair undertook informal consultations to reach agreement on the text to be referred to CITES. Many Members of this group were of the opinion that the compromise text was the appropriate text to be referred to CITES, but there was no consensus on this view.

60. In the absence of consensus on the compromise text negotiated between the FAO Secretariat and the Chairperson of the CITES Standing Committee, it was agreed that the text recommended by the Sub-Committee on Fish Trade remained the only draft MoU that has been approved by an FAO body. It was recognized that the CITES Standing Committee remained free to consider any text for a MoU.

61. The Committee agreed that, pending feedback from CITES on the FAO/CITES MoU, the matter should be reconsidered at the Tenth Session of the Sub-Committee on Fish Trade where an MoU can be potentially agreed to.

62. The Committee agreed on the importance of ensuring that there was consistency in the positions of Members at meetings of FAO and CITES on the issue of a MoU.

63. Many Members expressed their view that sovereign States, FAO and RFMOs have the primary role in conservation and management of commercially exploited aquatic species.

64. The Committee took note that the Technical Consultation on International Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries met in 2004 and 2005. The Consultation prepared international guidelines for consideration and adoption by COFI.

65. Many Members noted the benefits to fisheries managers, producers, consumers and other stakeholders of voluntary international guidelines that are widely accepted and applied in order to ensure the credibility and trustworthiness of voluntary ecolabelling schemes for fish and fishery products. Such schemes needed to be transparent, market-driven, accessible (in terms of costs) to operators irrespective of their size and economic contexts, non-discriminatory based on best available scientific evidence, and fully consistent with WTO rules so as not to create unnecessary obstacles to international trade and to allow for fair competition and respect the sovereign rights of States. Many Members stressed that an additional benefit of the guidelines would be an increase in legitimacy of ecolabels as well as the prevention of proliferation of non-credible ecolabels.

66. The Committee noted the special circumstances, conditions and concerns applying to developing countries and countries in transition that required time, financial and technical assistance to develop and maintain appropriate fisheries management arrangements in order to participate in, and benefit from, voluntary ecolabelling schemes. It was additionally agreed that direct support towards the often high cost of accreditation and certification would also be necessary.

67. While recognizing the need for further improvements, including the reservations expressed by some Members concerning their timely implementation of the guidelines and calling upon FAO to continue its work on them, the Committee adopted the guidelines. In so doing:

- (a) COFI noted that the part of the guidelines addressing procedural and institutional aspects no longer comprise provisions on an independent panel as an ultimate appellate body as these were not consistent with the Constitution and practice of FAO. In view of the importance of these provisions, views were expressed on the need for a specific and different agreement outside the framework of FAO, noting also the possibility of using existing appeal mechanisms.
- (b) COFI noted that these guidelines would apply equally to certification of fisheries in ecolabelling schemes, where fishery products coming from such certified fisheries do not carry an ecolabel because the party concerned decides not to use an ecolabel.
- (c) In relation to minimum substantive requirements and criteria for ecolabels, COFI recommended that FAO should review and further develop general criteria in relation to "stock under consideration" and to serious impacts of the fishery on the ecosystem (see paragraph 27 of the Guidelines).
- (d) COFI noted the Republic of Korea's view that paragraph 30 should refer clearly to Article 7.6.3 of the Code of Conduct regarding fishing capacity rather than reference to the broader measures described in Article 7.6.
- (e) COFI noted China's reservation because it considered that the relevant criteria in the guidelines were not clear and would need work to improve them.
- (f) COFI noted Mauritania's reservation that (i) the International Guidelines should be reviewed by the Committee on Technical Barriers to Trade (TBT) of the World Trade Organization and its comments taken into account, and (ii) a transitional period of two years was required before the implementation of these Guidelines.
- (g) COFI recommended linguistic review by FAO of the text of the guidelines in the official languages of FAO, particularly those other than English, in order to ensure consistency between texts.
- (h) COFI recommended that international guidelines also be prepared by FAO on the ecolabelling of fish and fishery products from inland fisheries.
- (i) COFI requested that FAO report to its twentieth-seventh session in 2007 on its work to further improve the guidelines.

#### **DECISIONS AND RECOMMENDATIONS OF THE SECOND SESSION OF THE COFI SUB-COMMITTEE ON AQUACULTURE (TRONDHEIM, NORWAY, 7-11 AUGUST 2003)**

68. The item was introduced by the Chairperson of the Second Session of the Sub-Committee on Aquaculture and the Secretariat and was discussed on the basis of documents COFI/2005/4 and Inf.14. The Committee endorsed the report of the Sub-Committee and thanked the Government of Norway for hosting and supporting the Session. The Committee further appreciated the excellent work of the Sub-Committee and the Secretariat.

69. The Committee recognized the importance of aquaculture including culture-based fisheries as a means of increasing fish production, of generating income and as a means of reducing pressure on wild fish resources. Many Members placed high priority on the sustainable development of aquaculture and reaffirmed their trust in FAO to play its coordinating role in advancing the global aquaculture agenda.

70. The Committee thanked the Government of Japan for establishing a trust fund to provide assistance for the sustainable development of aquaculture.



71. Many Members supported the establishment of regional network organizations similar to the Network of Aquaculture Centres in Asia-Pacific (NACA) but noted that these networks had to take account of local circumstances. The Committee noted the offer of Mexico to host a NACA-type organization for the Americas.

72. Many Members noted that increased funding was required for the Sub-Committee to undertake its ambitious programme. It was suggested that a separate budget line should be created within FAO for financing the work of the Sub-Committee. Many Members suggested that the FAO Regular Programme allocate additional funds to the Fisheries Department which in turn could allocate more funds to aquaculture. Several Members, including the European Community, Japan and Norway offered to provide additional financial assistance to implement activities for responsible aquaculture.

73. Several Members proposed prioritizing activities to give emphasis to the development of good management practices, appropriate technical standards and guidelines and technical assistance to Members, particularly for ensuring food safety and environmental sustainability in aquaculture. The Committee stressed the importance of working with the Codex Alimentarius Commission and the Sub-Committee on Fish Trade on issues pertaining to food safety and quality, markets and better reporting on status and trends.

74. The Committee noted the importance of aquaculture development in Africa including its integration into irrigation systems and several Members pointed out the need for technical and financial assistance. Several Members stressed the need to convene a conference for the promotion of aquaculture in sub-Saharan Africa as well as the establishment of a centre for aquaculture in that region.

75. The Committee thanked India for offering to host the Third Session of the Sub-Committee on Aquaculture in 2006 despite the difficulties they were facing following the recent tsunami disaster.

## **ENABLING RESPONSIBLE SMALL-SCALE FISHERIES, THROUGH THE CREATION OF A SUPPORTIVE ENVIRONMENT**

76. The Secretariat introduced document COFI/2005/5. The Committee commended the Secretariat for the document and acknowledged that it provided valuable guidance on the strategies and measures required for the creation of an enabling environment for small-scale fisheries. It observed that inland fisheries needed to be accorded greater attention and that it was proposed that more specific policy interventions in support of these fisheries should be identified in some areas while giving due account to possible tradeoffs in other areas.

77. The Committee noted a range of issues that should be addressed in order for small-scale fisheries to make a greater contribution to rural development, sustainable livelihoods, poverty alleviation and food security. These issues included the risk of overexploitation of fishery resources, especially in inshore waters, increasing operating costs particularly due to rising fuel prices, conflicts with large-scale fisheries and other users of coastal resources. In addition, many Members noted the geographical remoteness of many small-scale fishing communities, inadequacy of infrastructure and service facilities, a lack of access to credit as well as post-harvest losses. It was also pointed out that high exposure to occupational hazards and the high incidences of malaria, bilharzias and HIV/AIDS took their toll on fisherfolk, especially in some areas of sub-Saharan Africa.

78. The Committee recognized the special importance of small-scale fisheries, especially to small island developing States, and the positive experiences of countries in support of this sector. These experiences included the development of specific policies and legislation for small-scale fisheries in areas such as preferential and exclusive access to nearshore fishery resources and secure rights to coastal land; strengthened co-management structures including MCS; diversification of livelihoods and better integration with other economic activities; measures to reduce post-harvest losses and value addition, *inter alia*, through microfinance schemes targeting women who play a predominant role in these activities and in fish marketing; fair competition at the point of first sale to mitigate against exploitative practices by “middlemen” and support to improve safety at sea and disaster preparedness.

79. The Committee expressed its appreciation to FAO and donor countries for giving greater attention to small-scale fisheries and for allocating more resources in their support. It welcomed the advance version of the Code of Conduct Guidelines on Enhancing the Contribution of Small-Scale Fisheries to Poverty Alleviation and Food Security. The Committee noted the importance of some of the measures in the Guidelines including the better integration of small-scale fisheries into national development and poverty reduction strategies and their empowerment through the strengthening of fishworkers organizations, communication and capacity-building. Concern was articulated that the Guidelines should address the issue of open-access fisheries as experience has demonstrated that open-access conditions invariably resulted in unsustainable fishing practices.

80. Several Members from West and Central Africa thanked the Department for International Development (DFID) of the United Kingdom for funding, since 1999, the regional Sustainable Fisheries Livelihoods Programme (SFLP) and FAO for assisting the 25 countries of the region in its implementation. Members were provided with successful examples of activities carried out in favour of poverty reduction and sustainable management in small-scale fisheries. The importance was stressed of this regional approach for the benefit of small-scale fishing communities in their respective countries. The donor community was requested to extend the Programme beyond its present phase ending in October 2006.

81. Some Members recommended that small-scale fisheries be given greater consideration in the Code of Conduct for Responsible Fisheries through a specific article or Appendix. Other Members expressed their concern about the possibility of reopening the Code and expressed their preferences for the elaboration of additional Guidelines.

82. Some members stressed the need to initiate international negotiations on the monitoring of fishing vessels within the framework of the Code of Conduct concerning its implementation, particularly with a view to combating IUU fishing and ensuring assistance to fishermen in peril.

## DEEP-SEA FISHERIES

83. The Secretariat introduced document COFI/2005/6, which was commended by many Members. The Committee noted the challenges that the management of deepwater demersal fisheries posed, both on the high seas and when they occurred in exclusive economic zones (EEZs), as a consequence of the vulnerable biological characteristics of deepwater demersal fishes, and which were compounded by concerns about the conservation of biodiversity in deep-sea habitats.

84. The Committee welcomed the realization of DEEP SEA 2003, which had been convened by the New Zealand and Australian Governments in association with FAO, and its positive and successful outcome. It noted subsequent discussions to call attention to the problems associated with deepwater demersal fisheries, particularly those held in the UN General Assembly (UNGA). The Committee requested FAO to provide the UNGA with appropriate information and technical advice on these fisheries and, in general, to provide leadership in this field and actively participate in the relevant international fora.

85. Some Members reaffirmed the critical role that RFMOs played in improving the conservation and management of deepwater resources in the high seas. They proposed that FAO provide appropriate advice, including coordination, technical information, etc., to these organizations in support of conservation and management. Many Members suggested that the mandates of existing RFMOs, in terms of geographical area as well as of competencies to cover the management and impact of fishing on deepwater high seas stocks, be extended, as appropriate. Reference was also made to the establishment of new RFMOs with competence on deepsea species and the Southern Indian Ocean ongoing process was cited in this regard. Several Members expressed concern about the possible proliferation of RFMOs because of the burden their governments could face in participating in their activities and in supporting them.

86. The Committee took note of concerns about the deficiencies in the existing legal and institutional framework for deepsea fisheries. Some Members stressed the need for new approaches including a single global arrangement for the management of these fisheries. Many Members pointed out however that current problems would be better addressed under the 1982 UN Convention and other instruments including the FAO Code of Conduct for Responsible Fisheries and its IPOAs. They stressed that there was no need to build a new framework and called for relying upon the existing instrument or adapting existing instruments, such as the 1995 UN Fish Stocks Agreement, rather than creating new ones.

87. Several Members stressed the urgency for regulatory interventions to safeguard deepwater habitats and proposed that States take interim measures, including requiring their flag vessels to refrain from engaging in deepsea fishing, until appropriate management arrangements had been developed and implemented. Some Members supported the need to take immediate, albeit different action, such as the gathering of information that would make it possible to adopt at the earliest possible time the best management measures. The Committee urged Members to fully apply the Code of Conduct and its four related IPOAs to all deepsea fishing by vessels flying their flags including fishing for stocks that are not regulated by an RFMO. The Committee also urged Members, by fulfilling their flag State responsibilities, to ensure their vessels were regulated effectively and operated in a manner consistent with the ecosystem approach to fisheries, in particular by ensuring that fishing vessels flying their flags reported fully data regarding their fishing activities.

88. To support these activities, the Committee requested Members and RFMOs, as appropriate, to submit information on deepsea fish catches by species and size composition and fishing effort, noting that reporting would need to be on a relatively fine spatial scale to address the association of fishing activities with vulnerable marine ecosystems, as well as information on any conservation and management measure that may be in place for such fisheries.

89. The Committee endorsed the proposed future FAO activities outlined in document COFI/2005/6. The discussion highlighted the need for, in particular:

- (a) collection and collation of information concerning past and present deepwater fishing activities;
- (b) undertaking an inventory of deepwater stocks and an assessment of the effects of fishing on deepwater fish populations and their ecosystems;
- (c) convening technical meetings to develop a code of practice/technical guidelines; and
- (d) reviewing legal framework needed to support conservation and management of deepwater fisheries.

In this respect, the Committee called for the allocation of adequate resources to relevant programme activities of the Organization and its Fisheries Department.

90. The Committee called upon Members directly and through RFMOs, as appropriate, to implement as a matter of priority paragraphs 66 to 71 of UNGA Resolution 59/25. The Committee requested FAO to cooperate with the Secretary-General of the United Nations in the development of the report as called for in paragraph 70 of UNGA Resolution 59/25.

91. The Committee called upon Members conducting deep-sea fisheries on the high seas individually and in cooperation with others to address adverse impacts on vulnerable marine ecosystems and to sustainably manage the fishery resources being harvested including through controls or limitations on new and exploratory fisheries.

92. The Committee requested FAO when revising the FAO Technical Guidelines on Ecosystem-based Fisheries Management to consider appropriate measures regulating destructive fishing practices.

93. The Committee noted that the Review Conference for the 1995 UN Fish Stocks Agreement scheduled for 2006 may be an appropriate forum for exploring international conservation and management options for discrete high seas fish stocks.

94. The Committee also noted that the "Governance of High Seas Fisheries and the UN Fish Stocks Agreement - Moving from Words to Action" Conference, scheduled for May 2005 in Canada, could also inform discussions on the conservation and management of deep-sea fisheries.

95. The Committee encouraged the meeting of regional fisheries bodies (RFBs) that will immediately follow the twenty-sixth session of COFI to consider the issue of deep-sea fisheries conservation and management.

## **SEA TURTLES CONSERVATION AND FISHERIES**

96. The Secretariat introduced documents COFI/2005/7 and Inf.15. It outlined the process that had led to the 2004 FAO Technical Consultation on Sea Turtles Conservation and Fisheries, thanking the Governments of Japan and the United States of America for their generous support.

97. The Secretariat presented briefly the results of the Technical Consultation, following the themes and priorities indicated by the twenty-fifth session of COFI. The Committee was invited to express its opinion with respect to the recommendations of the Technical Consultation and to provide guidance for the direction and scope of future work.

98. The Committee endorsed the report and the recommendations of the Technical Consultation. It called for the immediate implementation by Members and RFMOs of the Guidelines to Reduce Sea Turtle Mortality in Fishing Operations as contained in Appendix E of COFI/2005/Inf.15. The Committee acknowledged that these guidelines were voluntary and they were not intended to affect trade. Members and RFMOs were invited to report to FAO six months prior to the Twenty-seventh Session of COFI concerning their experiences in implementing the guidelines so as to permit an evaluation of their usefulness and relevance. It also agreed that FAO should proceed with the development of Technical Guidelines under the Code of Conduct for Responsible Fisheries as agreed by the Technical Consultation. One Member explained the need for the development of an international plan of action (IPOA) for sea turtle mortality in fisheries.

99. The Committee recognized the need for further biological studies including sea turtle tagging. It stressed the need to share information and experiences in implementing mitigation measures. Several Members reported on existing efforts and activities for sea turtle conservation, including the need to consider their protection along migratory routes. These activities included national conservation programmes, gear modification such as the introduction of "circle hook" in a shallow set longlines, the implementation of relevant legislation and participation in international agreements. The Committee emphasized the need for technical and financial assistance to address sea turtle mortality due to fisheries and to implement the recommendations of the Technical Consultation.

## MARINE PROTECTED AREAS AND FISHERIES

100. The Secretariat introduced document COFI/2005/8 on marine protected areas (MPAs) and fisheries, pointing out that MPAs had been used in fisheries in the past and that an increase in their use is anticipated in response to the call for their establishment and development by the Convention for Biological Diversity (CBD) and the 2002 World Summit on Sustainable Development (WSSD) Johannesburg Plan of Implementation. The Secretariat stated that MPAs have potential benefits as a fisheries management tool provided they are specifically designed for fisheries and properly implemented, although experience on the use of MPAs is still scarce. Reference was also made to the importance of a participatory process in the development and implementation of MPAs.

101. Many Members expressed their support for the use of MPAs as a tool for conservation and fisheries management and a number described their experiences. Several Members suggested that MPAs should be used to manage not only fishery activities but other human activities. There was agreement that the use of MPAs as a fisheries management tool should be scientifically-based and backed by effective monitoring and enforcement and an appropriate legal framework. The Committee agreed that MPAs were one of a number of management tools and that they would be effective in combination with other appropriate measures such as capacity control. Several Members emphasized the importance of taking into account the socioeconomic impacts of establishing MPAs, including their impact on local communities and food security. In addition, some Members highlighted the need for stakeholder involvement in the design and implementation of MPAs. They referred to the

need to set clear objectives for MPAs and to monitor performance in achieving those objectives. Several Members reiterated that the use and extent of MPAs within EEZs was the responsibility of each State.

102. Some Members expressed their support for the establishment of MPAs as a fisheries management tool on the high seas, provided they were based on sound scientific evidence, however some Members raised doubts about the effectiveness of high seas MPAs. Some Members recognized that many RFMOs had the competence to establish MPAs and some were already doing so. However, in some cases, there was a need to consider the establishment of a broader legal framework including new conservation and management arrangements supported by an effective compliance regime. It was further recognized that problems could be experienced in cases where RFMOs had overlapping jurisdictions. The Committee noted that RFMOs would need to develop means of interacting with other relevant IGOs, in particular in the environmental field, including the CBD, and other organizations such as IMO, when there was a need to exclude non-fishery human activities within an MPA on the high seas. Such interaction should also take into account the experience of NGOs working in this area.

103. The Committee recommended that FAO develop technical guidelines on the design, implementation and testing of MPAs, even though one Member stated that it did not support this work and considered it inappropriate. Some Members requested guidelines specifically on the use of MPAs on the high seas. The Committee drew attention to the need to liaise with and benefit from the experiences of a number of countries, IGOs and NGOs in the preparation of guidelines. Some Members from developing countries requested FAO technical assistance in developing MPA systems. The Committee agreed that FAO should assist its Members in achieving the relevant WSSD goals by 2012, in particular the establishment of representative networks of MPAs. It stressed that FAO should collaborate with other IGOs working on the topic, in particular CBD and UNGA.

#### **REVIEW OF MAJOR PROGRAMME 2.3 "FISHERIES": PLANNED ACTIVITIES OVER THE PERIOD 2006–2011, AS REGARDS MAJOR PROGRAMME 2.3 "FISHERIES" AND PRELIMINARY INFORMATION ON PROGRAMME OF WORK AND BUDGET PROPOSALS FOR 2006–2007**

104. The Secretariat introduced document COFI/2005/9 and made reference to COFI/2005/Inf.6.

105. The Committee commended FAO for the improvements made in the presentation of the Medium Term Plan and Preliminary Programme of Work Proposals for 2006–2007. Some Members found that improvements were required in the formulation of the objectives and that funding for priority areas should be more easily identified in the budget document.

106. The Committee appreciated efforts made by FAO to accommodate most priority areas into the Programme of Work and Budget for 2006–2007. Many Members underlined that additional allotments should be made to this Major Programme 2.3 Fisheries, from which the Department could allocate more budgetary resources to the prioritized areas including aquaculture. Many Members requested that the costs related to aquaculture should be kept in a separate budget line, apart from inland fisheries. It was also suggested that funds for meetings should be allocated, whenever possible, from the Regular Programme.

107. Some Members expressed the wish that these allocations be made under a real growth scenario. Other Members stressed that zero growth scenarios were necessary because of their restricted national budgets and extrabudgetary resources should be sought as an alternative solution. The Committee acknowledged that the Programme of Work and Budget of the Organization would be discussed at subsequent sessions of the Governing Bodies. FAO was encouraged to continue its efforts to be efficient, effective and accountable.

108. The Committee noted that all activities of the Fisheries Department were too important not to be undertaken. Many Members requested further strengthening of the following specific issues:

- (a) Implementation of the Code of Conduct for Responsible Fisheries and its related IPOAs and assistance related to them.
- (b) Elaboration of policy guidelines to support sustainable management including guidelines relating to bioeconomic modelling and the development, implementation, evaluation and adjustment of management policies.
- (c) Activities and assistance on capacity building of developing nations for small-scale fisheries.
- (d) Aquaculture, especially in developing countries.
- (e) Enhancement of the effectiveness of RFMOs.
- (f) Implementation of the Strategy-STF and related assistance programme including for statistical collection.
- (g) Deep-sea fisheries.

109. Several Members recommended strongly that a post for an Aquaculture Officer should be established in the FAO Regional Office for Latin America and the Caribbean even under the zero nominal growth scenario to assist Members in aquaculture activities in the region.

110. It was pointed out by the Secretariat that most of the work related to the Indian Ocean tsunamis was expected to be undertaken by extrabudgetary resources.

#### ANY OTHER MATTERS

111. Many Members agreed on the importance of establishing principles to review the performance of RFMOs in meeting their objectives and the obligations and principles set forth in relevant international instruments. However, many Members expressed caution and suggested that the question of how to undertake such a review and the concept of independence required further discussion, noting RFMOs' current assessment activities. Many Members agreed that the process could be shaped by consultations among RFMOs, the result of which could be fed back to COFI for further actions.

112. Many Members welcomed the proposal extended by the Chairperson of the Fourth Meeting of Regional Fishery Bodies (Rome, 14-15 March 2005) that the meeting be given the opportunity to reflect on the matter of assessing the performance of these bodies. The Committee agreed that it could extend an invitation to RFMO members and other interested parties encouraging them to participate in the development of parameters for any such review process, possibly through an urgent expert consultation followed by a technical consultation. Some Members stated that any review of RFMO performance should be in the form of an independent review, even in cases where RFMOs were considering internal assessments.

113. Many Members proposed that an agenda item on Ecosystem Approach be included in the next session of COFI. Many Members reconfirmed their strong support for paragraph 39 of the report of the Twenty-fourth Session of COFI, which requested FAO to conduct research on the interaction between marine mammals and fisheries and desired further activities in this area. Many other Members, however, although noting the importance and urgency of the application of the ecosystem approach to fisheries, noted the primacy of the International Whaling Commission (IWC) with respect to the conservation and management of whales in the marine environment and expressed their concern that discussion on whaling in COFI might detract from other important fisheries issues. Other Members pointed out that other organizations had a role to play with respect to the conservation and management of mammals, for example the North Atlantic Marine Mammal Commission (NAMMCO).

#### **DATE AND PLACE OF THE TWENTY-SEVENTH SESSION**

114. It was agreed that the Committee should meet in Rome in early 2007. The exact date would be determined by the Director-General in consultation with the Chairperson.

#### **ADOPTION OF THE REPORT**

115. The report was adopted on 11 March 2005.



**APPENDIX A****Agenda**

1. Opening of the Session
2. Adoption of the Agenda and arrangements for the Session
3. Election of the Chairperson and Vice-Chairpersons and designation of Drafting Committee
4. Progress Report on the Implementation of the Code of Conduct for Responsible Fisheries and Related International Plans of Action (Capacity, IUU Fishing, Seabirds and Sharks), and the Strategy for Improving Information on Status and Trends of Capture Fisheries
5. Assistance to the fishing communities affected by the tsunami in the Indian Ocean and measures to rehabilitate and reactivate the fisheries and aquaculture sectors in the countries concerned
6. Decisions and Recommendations of the Ninth Session of the COFI Sub-Committee on Fish Trade (Bremen, Germany, 10–14 February 2004) including recent developments with regard to Ecolabelling and CITES
7. Decisions and Recommendations of the Second Session of the COFI Sub-Committee on Aquaculture, Trondheim, Norway, 7–11 August 2003
8. Enabling responsible small-scale fisheries, through the creation of a supportive environment
9. Deep-sea fisheries
10. Sea Turtles Conservation and Fisheries
11. Marine Protected Areas and Fisheries
12. Review of Major Programme 2.3 “Fisheries”: Planned Activities over the Period 2006–2011, as regards Major Programme 2.3 “Fisheries” and Preliminary Information on Programme of Work and Budget Proposals for 2006–2007
13. Any other matters
14. Date and place of the next Session
15. Adoption of the Report

## APPENDIX B

## List of delegates and observers

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The Committee elected Mr Johann Augustyn (South Africa) as Chairperson of the Drafting Committee, with the following membership: Australia, Canada, China, Japan, Kuwait, Malaysia, Mauritania, Mexico, Netherlands, New Zealand, Norway, Oman, Peru and United States of America.

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## APPENDIX C

## List of documents

COFI/2005/1	Agenda and Timetable
COFI/2005/2	Progress in the Implementation of the Code of Conduct for Responsible Fisheries and Related International Plans of Action
COFI/2005/3	Decisions and Recommendations of the Ninth Session of the Sub-Committee on Fish Trade
COFI/2005/4	Decisions and Recommendations of the Second Session of the COFI Sub-Committee on Aquaculture
COFI/2005/5	Supporting Small-Scale Fisheries through an Enabling Environment
COFI/2005/6	Deep-sea fisheries
COFI/2005/7	Outcome of the Technical Consultation on Sea Turtles Conservation and Fisheries (Bangkok, Thailand, 29 November–2 December 2004)
COFI/2005/8	Marine Protected Areas and Fisheries
COFI/2005/9	Medium Term Plan 2006–2011, and Preliminary Programme of Work Proposals for 2006–2007: Major Programme 2.3 Fisheries
COFI/2005/10	Rehabilitation of the fishing communities and the fisheries and aquaculture sectors affected by the tsunami in the Indian Ocean
COFI/2005/Inf.1	List of documents
COFI/2005/Inf.2	List of participants
COFI/2005/Inf.3	Statement by the Director-General
COFI/2005/Inf.4	Annotations/Guide Notes on Agenda Items
COFI/2005/Inf.5	Report of the Twenty-fifth Session of the Committee on Fisheries, Rome, Italy, 24–28 February 2003
COFI/2005/Inf.6	Achievements of Major Programme 2.3 Fisheries 2002–2003
COFI/2005/Inf.7	Follow-up to the Recommendations of the Twenty-fifth Session of the Committee on Fisheries, Rome, Italy, 24–28 February 2003
COFI/2005/Inf.8	Report of the Technical Consultation to Review Progress and Promote the Full Implementation of the IPOA to Prevent, Deter and Eliminate IUU Fishing and the IPOA for the Management of Fishing Capacity, Rome, 24–29 June 2004



COFI/2005/Inf.9	Report of the Technical Consultation on the Use of Subsidies in the Fisheries Sector, Rome, Italy, 30 June–2 July 2004
COFI/2005/Inf.9/ Add.1	Fisheries Subsidies: A short term and a long term work programme for FAO
COFI/2005/Inf.10	Report of the Technical Consultation to Address Substantive Issues Relating to the Role of the Port State to Prevent, Deter and Eliminate IUU Fishing, Rome, Italy, 31 August–2 September 2004
COFI/2005/Inf.11	Strategic Framework for Human Capacity Development in Fisheries
COFI/2005/Inf.12	Report of the Ninth Session of the COFI Sub-Committee on Fish Trade, Bremen, Germany 10–14 February 2004
COFI/2005/Inf.13	Report of the Technical Consultation on International Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries, Rome, Italy, 19–22 October 2004
COFI/2005/Inf.14	Report of the Second Session of the COFI Sub-Committee on Aquaculture, Trondheim, Norway, 7–11 August 2003
COFI/2005/Inf.15	Report of the Technical Consultation on Sea Turtles Conservation and Fisheries, Bangkok, Thailand, 29 November–2 December 2004
COFI/2004/Inf.16	Synthesis of the Report of the Fifth Session of the Advisory Committee on Fisheries Research, Rome, 12–15 October 2004
COFI/2004/Inf.17	Statement of Competence and Voting Rights Submitted by the European Community and its Member States
COFI/2004/Inf.18	Outcome of the International Meeting for the Ten-Year Review of the Barbados Programme of Action for the Sustainable Development of Small Island Developing States (Mauritius, 10–14 January 2005) and FAO follow-up

## APPENDIX D

**Opening statement by Mr David A. Harcharik  
Deputy Director-General**

Mr Chairman, Excellencies, Distinguished Delegates, Ladies and Gentlemen,

Good morning and welcome to this Twenty-sixth Session of the Committee on Fisheries.

It is, once again, enheartening to see such a large attendance. This reflects, I believe, the importance that fisheries have worldwide and the significance of the work of the Committee on Fisheries.

This Session is saddened and overshadowed by the tragic earthquake and tsunami which struck countries in the Indian Ocean and took the lives of hundreds of thousands of people. I invite you to join me in observing a minute of silence in their memory.

In addition to the loss of life, the tsunami also had devastating consequences on the livelihoods of millions of people. Fishing communities were particularly affected.

Thankfully, the reaction of solidarity the world over has been overwhelming. I am pleased to report that FAO has been very active during the phase of short-term relief. Now, it is time to address the medium and long term needs, and to work for the rehabilitation and reconstruction of the fishing sector as well as the sustainability of the livelihoods of the affected fishing communities.

The countries concerned and the international community are facing the challenge of utilizing, in a judicious and efficient manner, the considerable resources that have been mobilized.

In this endeavour, FAO has been helping countries with the assessment of needs, the development of appropriate strategies and the establishment of efficient mechanisms to coordinate assistance. In all of this, we maintain close collaboration with the Governments of the affected countries, their fishing communities, other international organizations, and also donors, both governmental and non-governmental. We look forward to your discussion on this matter and to any guidance you wish to provide.

Mr Chairman,

Before calling your attention to the other issues in the Agenda, it is my pleasure to introduce the new Secretary of COFI, Mr N'diaga Gueye, who was recently appointed Chief of the International Institutions and Liaison Service. Mr Gueye participated actively in earlier sessions of the Committee as representative of his country, Senegal, and is therefore very familiar with the functioning of COFI.

Mr Chairman,

Progress in the implementation of the Code of Conduct for Responsible Fisheries and its International Plans of Action, remains a major issue. As usual, we have prepared a comprehensive report on this matter. In considering this item, we anticipate that you will place particular emphasis on illegal, unreported and unregulated fishing (IUU fishing) and on the means of enabling an efficient monitoring, control and surveillance of fishing activities. Various technical consultations were held last year whose conclusions and recommendations have a direct bearing on this matter. First, the Technical Consultation to Review Progress and Promote the Full Implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and the International Plan of Action for the Management of Fishing Capacity, which met in Rome in June 2004; second, the Technical Consultation on the Use of Subsidies in the Fisheries Sector, which immediately followed; and finally, the Technical Consultation to Review Port State Measures to Combat Illegal, Unreported and Unregulated Fishing, which was held here in Rome in August 2004. I wish to stress also that the result of your discussion on IUU fishing will serve as input to the Ministerial Meeting that will take place on Saturday.

Trade is another major issue.

The considerable growth in international trade in fish and fishery products has led to the development of an important regulatory framework which makes it difficult for many developing countries to get access to foreign markets. In addition to constraints, such as the strengthening of norms and standards for safety and quality, these countries have to face the effects of utilization of new technologies as well as the increased competition brought about by globalization and liberalization of trade.

The Committee is invited to consider these questions and the other issues raised by the Sub-Committee on Fish Trade in the report of its Ninth Session in February 2004 and to adopt appropriate conclusions and recommendations.

In this context, a topic of major significance is that of ecolabelling. COFI is requested to discuss the outcomes of the Technical Consultation on this subject which concluded last week. It is hoped that the Committee will take an important step forward in this area and adopt, as appropriate, the International Guidelines for the Ecolabelling of Fish and Fishery Products from Marine Capture Fisheries, which emerged from the Technical Consultation.

Mr Chairman,

The World Food Summit and the Millennium Declaration contain two important goals that are relevant to the Committee's work: those of reducing hunger and poverty by half.

In this regard, aquaculture is essential in helping to meet the growing demand for fish and fishery products. Aquaculture is also a significant source of labour and income, particularly in developing countries. However, if the development of the aquaculture and culture-based fisheries sector is to be sustainable, it must be carried out in a responsible manner. For this purpose, the Sub-Committee on Aquaculture has adopted, during its past session, a number of important recommendations, on which your guidance is needed.

Small-scale fisheries are also playing an increasingly important role in contributing to reaching the goals of the World Food Summit and the Millennium Declaration, despite many human, technological and financial constraints. Still, communities of small-scale fishermen remain among the poorest and most vulnerable rural communities.

As a follow-up to the recommendations adopted by COFI at its last Session in 2003, the Committee is requested to propose strategies aimed at creating an enabling environment to alleviate the social and economic deprivation which affects millions of small-scale fisherfolk.

Mr Chairman,

There are also several other issues to which I would like to call the Committee's attention.

First, the issue of deep seas fisheries, which is of rising concern for the international community: urgent action is needed because of the characteristics of the resources targeted and of their ecosystems, as well as the weaknesses and deficiencies of the existing governance regime.

Also, the issue of sea turtles by-catch. Last fall, a Technical Consultation was held in Bangkok which made significant progress, including the adoption of recommendations that I hope will be endorsed by COFI.

Finally, the question of marine protected areas. They constitute a potential tool for the conservation and sustainable use of hydrobiological resources and their ecosystems, provided that they are established on a sound scientific basis.

Mr Chairman,

As usual, your recommendations will be essential inputs to the formulation of the FAO Programme of Work and Budget 2006-2007.

I am pleased to report that, since the last session of the Committee, the situation concerning extra-budgetary contributions has improved significantly, in particular with regard to FishCode, which is the Fisheries Department's Global Partnership Programme for the Implementation of the Code of Conduct for Responsible Fisheries.

I wish to thank those donors that have increased their contributions as well as the new donors which have come forward since. Their support is very much appreciated.

Mr Chairman, distinguished delegates,

In spite of the heavy agenda, I hope that delegates will be able to find time to participate in the series of side events that have been organized in parallel with the Session, and also to visit the exhibition in the Atrium.

In concluding, I wish to stress once again that FAO greatly values your experienced advice and good counsel. I wish you a very constructive and highly successful meeting.

Thank you.

The twenty-sixth session of the Committee on Fisheries (COFI) was held in Rome, Italy, from 7 to 11 March 2005. The Committee reviewed the issues of an international character and the programme of work of the FAO Fisheries Department in fisheries and aquaculture. The Committee commended FAO on its report on the implementation of the Code of Conduct for Responsible Fisheries and its associated instruments and called for a "decade of implementation" of the various instruments developed to ensure responsible fisheries. The Committee called upon Members to accept, ratify or accede to, as appropriate, these instruments. The Committee encouraged FAO to elaborate additional guidelines in support of the Code, including one for the implementation of the international Plan of Action for the Management of Fishing Capacity. The need to initiate international negotiations on the monitoring of fishing vessels within the framework of the Code of Conduct concerning its implementation was underlined. The Committee welcomed the revised Code and Voluntary Guidelines for the Design, Construction and Equipment of Small Fishing Vessels that had been prepared by FAO, the International Labour Organization and the International Maritime Organization. The Committee expressed concern at the proliferation of international fora addressing fisheries matters, some of which lacked sound technical and scientific basis for discussion. The FAO's medium- to long-term rehabilitation strategy for the fisheries and aquaculture sector in countries affected by the Tsunami was endorsed. Guidelines on labelling of fish and fishery products were adopted. The Committee agreed to give greater attention to small-scale fisheries and to allocate more resources in their support. The Committee expressed its appreciation to FAO and donor countries for giving greater attention to small-scale fisheries and for allocating more resources in their support. It welcomed the advance version of the Code of Conduct Guidelines on Enhancing the Contribution of Small-Scale Fisheries to Poverty Alleviation and Food Security. The Committee stressed that COFI and FAO should continue to provide leadership and maintain an assertive role in fisheries. The Committee commended FAO for the improvements made in the presentation of the Medium Term Plan and Preliminary Programme of Work Proposals for 2006–2007. The Committee underlined that additional allotments should be made to the Major Programme 2.3 "Fisheries".

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